



# NATRONA COUNTY

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## Development Department

200 North Center Street, Room 202  
Casper, WY 82601

### MINUTES OF THE NATRONA COUNTY PLANNING COMMISSION July 8, 2014

MEMBERS PRESENT: Harold Wright, Jim Brown, Hal Hutchinson, Bob Bailey, and Tom Davis

MEMBERS ABSENT:

STAFF MEMBERS PRESENT: Jason Gutierrez and Peggy Johnson

OTHERS PRESENT: Bill Knight

Chairman Wright called the meeting to order at 5:30 p.m.

#### **ITEM 1**

Brown moved and Bailey seconded a motion to approve the June 10, 2014 meeting minutes.

**Motion carried unanimously after a brief discussion.**

#### **ITEM 2**

Chairman Wright opened the public hearing **ZC14-0003** - A request by River Heights Development, LLC for a zone change from Light Industrial (LI) zoning district to the Urban Mixed Residential (UMR) zoning district in the River Heights Addition No. 2 located in portions of the E/2 of the SE/4 of Section 11, Township 33 North, Range 80 West of the 6th Principal Meridian, Natrona County, Wyoming. Approximate size of the area is 31.8 acres.

Gutierrez gave the staff report. Staff proposes a motion and vote by the Planning and Zoning Commission to recommend approval of this zone change request by the Board of County Commissioners because the zone change request meets criterion no. 5 and criterion no. 6 zone change criteria.

Staff recommends that the motion incorporate by reference the findings of fact set forth herein and make them a part thereof.

Discussion between Planning and Zoning Commissioners and staff – regarding proposed zone change

Public hearing open

Speaking in favor – Keith Tyler, representing River Heights Development, LLC

Speaking in opposition – none

Public hearing closed

**Hutchinson moved approval of the zone change (ZC14-0003) subject to the finding of fact as presented by staff. Brown seconds the motion. Motion carries.**

Chairman Wright opened the public hearing for **PS14-0010** - A request by River Heights Development, LLC for approval of a preliminary plat for the River Heights Addition #2, a major subdivision consisting of 51 lots on a parcel of 31.8 acres in the Urban Mixed Residential (UMR) zoning district, located in portions of the E/2 of the SE/4 of Section 11, Township 33 North, Range 80 West of the 6th Principal Meridian, Natrona County, Wyoming.

Gutierrez gave the staff report. Staff proposes a motion and vote by the Planning and Zoning Commission to recommend approval, denial, or tabling of this preliminary plat request to the Board of County Commissioners, with the following conditions:

- 1) The enforceable annexation/outside water and sewer agreement is executed by all parties
- 2) A Non-Adverse recommendation from Wyoming DEQ is received
- 3) HOA agreement meets the ISD requirements satisfactory to the BOCC
- 4) Applicant executes Subdivision Development Agreement with Natrona County.

Staff also proposes further recommends a motion and vote by the Planning and Zoning Commission to recommend approval by the Board of County Commissioners of Applicant's written request to approve reducing the minimum lot size in the proposed River Heights Addition No. 2 to 7,600 square feet because the request meets applicable Urban Mixed Residential (UMR) zoning minimum lot size requirements.

Staff recommends that the above motions incorporate by reference the findings of fact set forth herein and make them a part thereof.

Discussion between Planning and Zoning Commissioners and staff – regarding information, i.e. traffic study, drainage study, ISD, HOA, Parks and annexation.

Open public hearing.

Speaking in favor: Keith Tyler, representing River Heights Development, LLC. Mr. Tyler requested item be tabled until other information could be provided.

Speaking in opposition – none

Public hearing closed

**Commissioner Bailey moved to table the River Heights Subdivision Addition #2 (PS14-0010) as requested by applicant. Commissioner Hutchinson seconded the motion. Motion carries.**

Chairman Wright opens the public hearing for **TA14-0001** - A request by Natrona County Development Department staff to consider a text amendment to the following text of Chapter IX, Section 4 of the 2000 Natrona County Zoning Resolution, at pages 201 - 203 to eliminate application of the Natural Expansion Doctrine.

### **PROPOSAL**

**1. In Chapter IX delete in its entirety Section 4 of the *Zoning Resolution of Natrona County, Wyoming*, captioned “Guidelines Regarding Changes to Nonconforming Uses (NCU)” at pages 201—203.**

**2. Add replacement Section 4, captioned “Non-Conforming Uses,” as follows:**

**“a. The definition of a non-conforming (“grandfathered”) use is a use which, on the effective date of this Resolution or as the result of subsequent amendments thereto, does not conform to the permitted or conditional uses established for the District in which the non-conforming use is located.**

**b. Where, at the effective date of adoption or amendment of this Resolution, a lawful use exists that is no longer permissible under the terms of this Resolution as adopted or amended, such use may be continued, subject to the following provisions:**

**(1) If active and continuous operation of a non-conforming use is discontinued for a period of 12 consecutive months, all subsequent uses shall be in compliance with the uses for the district in which the use is located.**

**(2) No non-conforming use shall be expanded beyond the use in existence at the time of adoption of this Resolution.**

**(3) No non-conforming use shall be changed to another non-conforming use.”**

Chairman Wright turns the meeting over Bill Knight, County Attorney.

Discussion between Planning and Zoning Commissioners, County Attorney Bill Knight and staff – regarding content of text amendment.

Public hearing open

Speaking in favor - none

Speaking in opposition: Judy Jones (Casper), Paul Paad (Casper), Larry Kilwine (Casper), Janelle Moore (Casper), John Stevenson (Casper), Dana Jones (Casper).

Public hearing closed

**Commissioner Brown moved for approval of the text amendment (TA14-0001) as presented. Commissioner Hutchinson seconded the motion. Motion carries with the following vote Commissioner Hutchinson, Commissioner Bailey voting in favor of text amendment. Commissioner Brown voted to deny the text amendment. Commissioner Davis abstained.**

Public comment – Paul Paad (Casper)

**Commissioner Hutchinson motioned to adjourn meeting at 7:29 p.m. Commissioner Brown seconded the motion. Motion carries.**

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Harold Wright, Chairman  
Natrona County Planning and Zoning Commission

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Renea Vitto  
Natrona County Clerk